

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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**CIVIL MINUTES - GENERAL**

Case No.	CV 08-2848 CAS (AJWx)	Date	September 26, 2008
Title	PAUL GOODMAN v. BROADCASTER, INC.; ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER	
CATHERINE JEANG	Not Present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
Not Present	Not Present	

**Proceedings:** (IN CHAMBERS:) PLAINTIFF'S APPLICATION FOR  
LEGAL FEES (FILED 9/19/08)

The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Accordingly, the matter is hereby taken under submission.

## I. INTRODUCTION

The facts and procedural history of this case is known to the parties and summarized in the Court's August 18, 2008 order denying plaintiff's motion for a preliminary injunction and granting plaintiff's motion for contempt as to defendant Martin Wade. In its August 18, 2008 Order, the Court awarded plaintiff attorneys' fees and costs incurred in filing his motion for a preliminary injunction. The Court also directed plaintiff to file a request for such fees and costs.

On September 19, 2008, plaintiff filed his application for legal fees. On September 22, 2008, defendants filed their opposition. On September 24, 2008, plaintiff filed his reply. After carefully considering the arguments set forth by the parties, the Court finds and concludes as follows.

## II. DISCUSSION

To the extent that this Court's August 18, 2008 order provides that plaintiff is entitled to recover his attorneys' fees and costs incurred in filing his motion for a preliminary injunction, that order is hereby corrected to limit plaintiff's recovery to the attorneys' fees and costs incurred in filing his contempt motion. Plaintiff did not prevail

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on his preliminary injunction motion; he only prevailed on his contempt motion as to defendant Wade.

Plaintiff submits that he devoted 62.7 hours to his contempt motion and that his standard hourly rate in 2008 is \$450. Appl. at 2, 7. Plaintiff therefore requests \$28,215.00 in connection with his contempt motion. In support of his application, plaintiff submits the declaration of Bonnie V. Stern, stating that a reasonable hourly rate for an attorney with plaintiff's experience in the Los Angeles legal market is between \$425 and \$525. Stern Decl. ¶ 4. Plaintiff also submits that his travel expenses associated with appearing at the August 8, 2008 hearing before this Court were \$1,340.88.

Defendants argue in their opposition that plaintiff did not "incur" any legal fees in connection with his contempt motion because he appeared pro se. Opp'n at 2. Defendants further argue that because plaintiff's law license is suspended, he should not be able to collect fees for the practice of law. Opp'n at 3. Defendants also contend that plaintiff's requested rate of \$450 is excessive because he has twenty years of experience as a corporate lawyer, not as a litigator. Opp'n at 4.

After carefully reviewing plaintiff's time entries, the Court concludes that 62.7 hours were reasonably spent on the contempt motion. Furthermore, given that plaintiff's license to practice law is suspended and plaintiff provides no information on any lost opportunities, the Court concludes that it is more appropriate to award him the hourly rate of a research assistant or a paralegal. Based on the Court's knowledge that the hourly rates for experienced paralegals and research assistants in the Los Angeles legal market ranges from \$180 to \$250, the Court concludes that an hourly rate of \$250 is appropriate. Therefore, the Court awards plaintiff \$15,675.00 in attorneys' fees. The Court also awards plaintiff his travel expenses in connection with appearing before this Court on August 8, 2008, in the amount of \$1,340.88. The Court therefore awards plaintiff a total of \$17,015.88 in attorneys' fees and costs.

### III. CONCLUSION

In accordance with the foregoing, the Court GRANTS plaintiff's request for attorneys' fees and costs in the amount of \$17,015.88.

IT IS SO ORDERED.

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